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SENATE BILL 912 By
Gilbert

HOUSE BILL 1329
By Jackson

AN ACT to enact the "1-800-No Abuse Act of 1997".

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. The title of this act is, and may be cited as the "1-800-No Abuse Act of 1997".

SECTION 2. The purpose of this act is to establish a single statewide toll-free telephone number to report known or suspected abuse, neglect, exploitation of children or adults.

SECTION 3. A statewide toll-free number shall be established by the department of human services to be operated on a twenty-four (24) hour, seven (7) day a week basis. An employee of the department of human services who receives a report alleging abuse, neglect, or exploitation through such 800 number, shall, within twenty-four (24) hours of receiving such report excluding Saturday, Sunday and legal holidays if the appropriate agency or authority is closed, be responsible for making such report known to the appropriate agency or authority. Within sixty (60) days of receiving such report, the agency or authority who was notified by such employee is required to file a report with the department of human services concerning the status of the report. Such agency or authority shall continue to file its reports with the department at least every sixty (60) days until the case is resolved or closed. All agencies and authorities have a duty and responsibility to cooperate fully with the department of human services so as to enable the department to fulfill its duties and responsibilities.

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SECTION 4. The department of human services shall set standards, priorities and policies to maximize the efficiency and effectiveness of the central statewide toll-free number.

SECTION 5. Every entity or facility that serves persons with disabilities, elderly persons, and children, as well as all facilities operated by, under contract with or licensed by the state departments of human services, mental health and mental retardation, education, health, or children's services must post in a clear, visible and prominent place within the facility a notice reading:

TO REPORT THE ABUSE, NEGLECT, OR EXPLOITATION OF ANY ADULT OR
CHILD, PLEASE CALL THE 1-800 NO ABUSE NUMBER LISTED BELOW

SECTION 6. All information reported through the 1-800 NO ABUSE number is confidential as well as the identity of any person reporting abuse, neglect or exploitation or the identity of the accused perpetrator shall be and remain confidential and exempt from other provisions of law. Such information or identities shall not be disclosed except as specifically authorized by the provisions of Tennessee Code Annotated, Title 37, Chapter 1, Parts 4 and 6. The department of human services shall establish a system to secure that such information and identities remain confidential.

SECTION 7. The department of human services shall develop rules in accordance with the uniform administrative procedures act, compiled in title 4, chapter 5, governing preservice and inservice training for all employees involved in answering the 800 line, filing reports or investigating reported allegations. Training services for employees involved in all stages and levels surrounding such reports as well as other department employees who work with such employees is deemed appropriate. It is of the utmost importance that all state departments and employees involved work together to maintain their professional skills and abilities in handling abuse, neglect or exploitation of children and adults.

SECTION 8. The department of human services in consultation with the departments of

mental health and mental retardation, education, health, and children's services shall develop a plan and coordinate efforts to educate the citizens of this state on the existence of the single statewide toll free number that is to be used to make a report. The use of such number in no way replaces the local 911 emergency numbers. In an effort to enable citizens to identify and report through such a single statewide toll free number, the citizens must be made aware of this service, through education and community awareness campaigns on abuse, neglect or exploitation of children and adults.

SECTION 9. For purposes of promulgating rules and regulations, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 1997, the public welfare requiring it.